

**HISTORIC DISTRICT COMMISSION**  
**Meeting Minutes**  
**May 13, 2013**

**CALL TO ORDER:**

Mr. Mike Troutman, Chairperson called the meeting to order at 4:00 p.m.

**ROLL CALL:**

<b>Members Present:</b>	Dan Buscher	Doug Sofia
	Eric Greene	Mike Troutman
	Mark Jones	Kim Tuck
	Susan Baldwin (City Commission Liaison)	

**Members Excused:** None (All Present)

**Staff Present:** Eileen Wicklund, City Attorney  
Marcel Stoetzel, City Attorney  
Glenn Perian, Senior Planner, Planning Dept.  
Leona Parrish, Admin. Assistant, Planning Dept.

**ADDITIONS / DELETIONS TO AGENDA:** Remove 78 Ann Avenue from New Business in order to allow the applicant to provide additional information and be placed on the agenda at a later date.

**APPROVAL OF PREVIOUS MINUTES:**

**MOTION WAS MADE BY MR. KIM TUCK TO APPROVE THE MINUTES AS PRESENTED FOR THE FEBRUARY 11, 2013 HISTORIC DISTRICT COMMISSION MEETING; SECONDED BY MR. ERIC GREEN.**

**ALL IN FAVOR, NONE OPPOSED MOTION; MOTION CARRIED.**

**CORRESPONDENCE:** Email from Alyssa Jones, Battle Creek Unlimited, provided information regarding a proposed public art project for 50 W. Michigan which is owned by Battle Creek Unlimited.

Mr. Jones asked how this differs from a temporary sign that someone would put on their outside wall. It was stated this art project does not fit the definition of a sign such as being for a business, etc. Mr. Jones said as it is non-commercial it is therefore excluded as being a sign; noted that was correct.

**OLD BUSINESS:** None

**NEW BUSINESS:**

**A) 80 Oaklawn Avenue - (*Request a "Notice to Proceed" for demolition*)**

Mr. Glenn Perian provided information regarding the condition of this property; noting it had been fire damaged and determined by the City Building Inspector that the structure walls were bowing and was in imminent danger of collapsing. Stated the Planning Department thought it was in the

best interest of public safety to approve the demolition immediately and to formally request the commission at their next meeting to issue a notice to proceed for the demolition of 80 Oaklawn Avenue acknowledging that it was in the best interest of public safety due to the fact the structure was in danger of collapsing at any moment from the fire damage.

Mr. Troutman stated in reviewing the photos provided; he would be in agreement with the Building Inspector.

*With no others wishing to speak, Chairperson, Mr. Troutman asked commissioners for a motion.*

**MOTION WAS MADE BY MR. DOUG SOFIA TO APPROVE THE REQUEST FOR A NOTICE TO PROCEED FOR THE DEMOLITION OF STRUCTURE AS SUBMITTED FOR PROPERTY LOCATED AT 80 OAKLAWN AVENUE; SECONDED BY MR. KIM TUCK.**

**Discussion:**

Mr. Mark Jones stated he was in agreement with this decision and asked for future requests; where the written guidelines were for buildings to be demolished; noted an example of a structure on Capital Avenue that was on the corner of Elm St. and Capital that had been repaired after significant damage was done.

Mr. Mike Troutman noted he believes it is up to them to prove that it needs to be torn down.

Mr. Kim Tuck stated there are building codes that outlines the criteria where this type of action can take place, also the State of Michigan Housing Law under dangerous building criteria for demolition of structures. Mr. Jones asked if Mr. Tuck would share those references; Mr. Tuck stated he would email them to the commission members.

**VOTE TAKEN: ALL IN FAVOR; NONE OPPOSED; MOTION CARRIED.**

**PUBLIC COMMENTS:** None

**COMMENTS FROM COMMISSION MEMBERS AND STAFF:** Mr. Glenn Perian wanted to recognize that this would be the last meeting for Ms. Eileen Wicklund, City Attorney and we would like to wish her the best in her retirement.

**ADJOURNMENT:**

Mr. Mike Troutman, Chair adjourned meeting at 4:11 P.M.

Submitted by: Leona A. Parrish, Administrative Assistant, Planning Department